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Appl. No.: 10/623,804
Applicants: Richard D. Roberts
Filed: July 22, 2003
TC/A.C.: N.A.
Examiner:
Docket No.: XSI.061 / 10X-199
Customer No.: 23400
ENTITLED: METHOD FOR OPERATING MULTIPLE OVERLAPPING WIRELESS NETWORKS

RETURN OF RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: June 3, 2004

Sir:

Enclosed please find a Restriction Requirement mailed on May 28, 2004 in connection with U.S. Patent application No. 10/623,840. The undersigned received this communication as a result of submitting a Change of Correspondence Address (form PTO/SB/122) on April 13, 2004 mis-identifying the application in question by an incorrect serial number (the number should have been 10/623,804 instead of 10/623,840).

The enclosed Restriction Requirement of May 19, 2004 is being returned. Please note that the newly signed Change of Correspondence Address with correct information for Application Serial No. 10/623,804 was submitted on May 25, 2004.

Although it is not anticipated that any additional fees are due or payable, the Commissioner is hereby authorized to charge any fees that may be required to Deposit Account No. 50-1147.

Respectfully submitted,

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DETAILED ACTION

Election/Restrictions

1. A. This application contains claims directed to the following patentably distinct species of the claimed invention: particular host materials, such as those claimed in claims 14-15 and 20-37 (Applicant must select a single disclosed species, and Applicant should state whether the elected species has each of the following properties: hole-transporting properties, luminescent properties or electron-transporting properties.)

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claims 16-19 are generic as to this issue.

B. This application contains claims directed to the following patentably distinct species of the claimed invention: melting or dissolving the materials to be deposited.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claims 14-17 and 20-37 are generic as to this issue.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

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2. A telephone call was made to Raymond Owens on 5/4/2004 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Cleveland whose telephone number is (571) 272-1418. The examiner can normally be reached on Tuesday-Friday and alternate Mon, 8-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shrive Beck can be reached on (571) 272-1415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael Cleveland
Patent Examiner
May 17, 2004